

## REMARKS

Applicant respectfully requests reconsideration of the subject application as amended. In response to the Office Action mailed 10/13/05, Applicant is filing this amendment. Claims 1, 3-8 and 10-20 are pending.

In the Office Action mailed 10/13/05, the Examiner has rejected claim 15 under 35 U.S.C. §102(b) as being anticipated by Kasamatsu (U.S. Patent 5,825,770) and claims 1-20 under 35 U.S.C. §103(a) as being unpatentable based on various combinations of Kasamatsu, Kosugi et al. (U.S. Patent 5,369,789), Leizerovich et al. (U.S. Patent 5,933,767), Berman et al. (U.S. Patent 4,857,865), Stewart et al. (U.S. Patent 5,812,557) and Prentice et al. (U.S. Patent Application 2002/0086651). In reply, Applicant has amended independent claims 1, 8 and 15 to recite that the first programmable amplifier is coupled to produce an amplified signal by amplifying the RF input signal in accordance with a first gain control signal and the second programmable amplifier is coupled to amplify the signal from the first programmable amplifier in accordance with a second gain control signal. Furthermore, the control module generates test signals to determine gain settings for the first and second gain control signals to optimize a power level, to optimize a noise level and to optimize a linearity of the outbound RF signal and the control module then combines the optimized gain settings from the test signals to obtain an operating gain setting for the gain control signals based on preference over one of power level, noise level and linearity of the outbound RF signal.

Applicant submits that although some of the cited references may teach multiple amplification stages with gain setting signals, none of the cited references disclose the optimization of gain setting for power level, noise level and linearity and the combination of the optimized settings for obtaining an operating gain setting for the stages based on preference over one of power level, noise level and linearity. For example, Stewart et al. may disclose transmit attenuation testing that combines signal testing, noise level testing, and signal distortion testing into one simple practical test, Stewart et al. does not disclose the optimization of power level, noise level and linearity testing, in which operating gain setting is obtained from the combination of such optimization testing. Accordingly, Applicant submits that the amended independent claims 1, 8 and 15, as amended, are

distinguishable over the relied-upon references and Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. §102(b) and 35 U.S.C. §103(a) rejections and allow pending claims 1, 3-8 and 10-20, as amended.

If there are any fee shortages related to this response, please charge such fee shortages to Deposit Account No. 50-2126.

Respectfully submitted,

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